

New Regulations for the Procurement Law

Mexico City, January 15, 2026

On December 18, 2025, the Regulations of the Public Sector Procurement, Leasing, and Services Law (the "Regulations")¹ were published in the Federal Official Gazette. The purpose of the Regulations is to establish provisions that promote compliance with the Public Sector Procurement, Leasing, and Services Law published on April 16, 2025 (the "Law"). Some of the most relevant points of the Regulations are the following:

- **Sustainable and strategic joint proposals.** The Regulations incorporate two types of joint proposals that allow participants in public tenders to obtain additional points:
 - a. *Sustainable joint proposal.* By Mipymes (micro, small and medium-sized enterprises), cooperatives, and other certified social sector organizations, as well as organizations comprised by priority groups.
 - b. *Strategic joint proposal.* By large companies together with Mipymes, cooperatives, certified social economy organizations, and organizations comprised by priority groups.
- **Procurement strategies.** Regarding the procurement strategies provided for in the Law, the Regulations establish:
 - a. *Consolidated procurement.* The powers of the Ministry of Finance and Public Credit to: (i) identify goods or services eligible for consolidated procurement or framework agreements; (ii) conduct market research and determine the appropriate procurement procedure, and (iii) enter into consolidation agreements with participating agencies and entities.
 - b. *Framework agreements.* The procedure for awarding specific contracts derived from framework agreements, which includes: (i) inviting participating suppliers through the Digital Platform for Public Procurement (the "Platform"); (ii) evaluating

¹ Available at:

https://www.dof.gob.mx/nota_detalle.php?codigo=5776519&fecha=18/12/2025#gsc.tab=0

technical bids; (iii) subsequent discount offers, and (iv) awarding the contract to the supplier that has offered the lowest price.

- c. *Subsequent Discount Offers.* The requirements for applying this modality, which include: (i) goods or services with objectively defined technical characteristics; (ii) sufficient competition, and (iii) a suitable contract volume to obtain economies of scale.

- **Procurement Procedures.** The Regulations govern:

- a. *Strategic Procurement Dialogues.* The procedure for conducting strategic dialogues with individuals, which includes: (i) publication of the invitation in the Platform; (ii) confirmation and accreditation of experience by interested parties; (iii) individual negotiation with each participant, and (iv) drawing up of the minutes with the agreements adopted. The results may be considered in the request for quotation for market research.
- b. *Procedure for inviting at least three persons and direct award.* The considerations applicable to certain exceptions under article 54 of the Law. For example, to purchase goods of a specific brand, it is required that: (i) there is a technical or legal reason that requires the use of that brand; (ii) a different brand could cause damage to machinery or equipment, or (iii) it could cause economic loss or damage to the State's assets.
- c. *Competitive Dialogue.* The procedure for conducting competitive dialogues, from the publication of the notice on the Platform to the award and signing of the contract.

- **Contracts.** The Regulations include specific rules on the conclusion, performance, penalties, validity, modification, and extension of contracts. With regard to contracts for health supplies that require continuity, they may be extended until the first quarter of the following fiscal year, provided that they are indispensable for the uninterrupted operation of agencies and entities. The price shall be as originally agreed, and payment shall be subject to budget availability.

The Regulations entered into force on December 19, 2025. Procurement procedures and contracts initiated or entered into before that date will continue to be governed by the provisions in force at the time of publication of the call for bids, sending of the invitation, or formalization of the contract, as applicable.

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